
IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
FAYETTEVILLE DIVISION

UNITED STATES OF AMERICA

PLAINTIFF

v.

Case No. 04-50042-002

DANNY TROY MCCARTHY

DEFENDANT

O R D E R

Currently before the Court is the defendant's pro se **Motion for Dismissal of Restitution (Doc. 71)** and the Government's Response (Doc. 72) in opposition. The Court agrees with the Government that the grounds asserted by the defendant were considered at sentencing when the Court imposed the restitution obligation and that the defendant has not demonstrated any new grounds justifying modification of the restitution order.

Accordingly, defendant's **Motion (Doc. 71)** is **DENIED**.

IT IS SO ORDERED this 2nd day of April, 2008.

/S/JIMM LARRY HENDREN
JIMM LARRY HENDREN
UNITED STATES DISTRICT JUDGE